

UNITED STATES DISTRICT COURT
FOR THE
DISTRICT OF VERMONT

Edwin A. Towne, Jr. :
 Petitioner, :
 :
 v. : File No. 2:86-CR-77
 :
United States of America, :
 Respondent. :

ORDER

The Report and Recommendation of the United States Magistrate Judge was filed April 28, 2009. After careful review of the file and the Magistrate Judge's Report and Recommendation, no objections having been filed by any party, this Court ADOPTS the Magistrate Judge's recommendations in full for the reasons stated in the Report.

It is hereby ordered that the Motion to Vacate Conviction and Sentence Pursuant to Civil Rule 60(b) or 28 U.S.C. 2255 (Paper 191) is **TRANSFERRED** to the Second Circuit Court of Appeals. The Motion to Appoint Counsel (Paper 192) is **DENIED**.

Dated at Burlington, in the District of Vermont, this 10th day of September, 2009.

/s/ William K. Sessions III
William K. Sessions III
Chief Judge